

#3



PATENT
Attorney Docket No. 02P1546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO FILE MISSING PARTS

Applicant: Matthew J. Poduska Group Art Unit: 2185
Serial No.: 10/064,931 Examiner: Unknown
Filed: August 29, 2002

For: SMTP METHOD AND SYSTEM FOR SIMULTANEOUSLY CONFIGURING A
PLURALITY OF REMOTE MANAGEMENT APPLIANCES

October 2, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application
mailed on September 6, 2002, the following documents are hereby submitted:

1. Signed Declaration by all three inventors;
2. Check in the amount of \$65 to cover the surcharge for the late filing of
the signed declaration.
3. Two (2) sheets of substitute drawings for those originally filed with the
above-referenced patent application. A review of the drawings
submitted revealed that there was an error in Figure 2. Under the word
"ETHERNET" on the left side of the drawing, it should read "In Band"
rather than "Out of Band" as originally shown. It has now been
corrected, and a copy of the drawing with the correction circled is red is

also attached. No new matter is being introduced by these new drawings.

REMARKS

A declaration is now enclosed which has been signed by the three inventors in this application.

The Examiner indicated that the informal drawings submitted with the application were not electronically reproducible. The Applicant apologizes for the poor quality of drawings that were originally submitted, and substitute drawings are enclosed at this time for examination purposes.


Respectfully submitted,

Matthew J. Poduska et al.

By: 

Gregory G. Williams, Reg. No. 31,681
SIMMONS, PERRINE, ALBRIGHT & ELLWOOD, P.L.C.
Third Floor Tower Place
22 South Linn Street
Iowa City, Iowa 52240
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 2, 2002.


Gregory G. Williams

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/064,931	08/29/2002	Matthew J Poduska	02P1546

CONFIRMATION NO. 2356

FORMALITIES LETTER



OC000000008741298

24234
SIMMONS, PERRINE, ALBRIGHT & ELLWOOD, P.L.C.
THIRD FLOOR TOWER PLACE
22 SOUTH LINN STREET
IOWA CITY, IA 52240

Date Mailed: 09/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/09/2002 BABRAHA1 00000043 10064931

FILED UNDER 37 CFR 1.53(b)

01 FC-205

65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

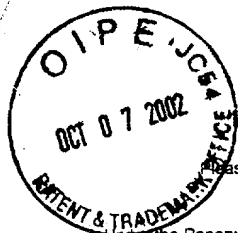
*A copy of this notice **MUST** be returned with the reply.*

M. Mangel

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002/OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/064,931
Filing Date August 29, 2002
First Named Inventor Matthew J. Poduska
Group Art Unit 2185
Examiner Name Unknown at present
Attorney Docket Number 02P1546

Total Number of Pages in This Submission 8

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☒ Fee Attached
☐ Amendment / Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☒ Response to Missing Parts/ Incomplete Application
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
☒ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please identify below):
Copy of Notice to File Missing Parts of Non-provisional application

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

GREGORY G. WILLIAMS
SIMMONS, PERRINE, ALBRIGHT & ELLWOOD, P.L.C.

Signature

Gregory G. Williams

Date

October 2, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 10/02/2002

Typed or printed name

GREGORY G. WILLIAMS

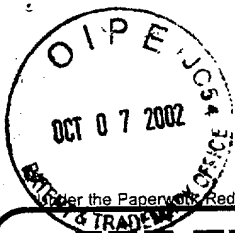
Signature

Gregory G. Williams

Date

October 2, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-01)
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**65.00**

Complete if Known

Application Number	10/064,931
Filing Date	August 29, 2002
First Named Inventor	Matthew J. Poduska
Examiner Name	Unknown at present
Group Art Unit	2185
Attorney Docket No.	02P1546

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-2260

Deposit Account Name Simmons, Perrine et al.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims		Fee from below	Fee Paid
			-20**	X		
			-3**	X		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	\$65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**65.00**

SUBMITTED BY

Name (Print/Type)	GREGORY G. WILLIAMS	Registration No. (Attorney/Agent)	31,681	Telephone	319-887-1368
Signature		Date	October 2, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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